

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATE OF AMERICA,

Plaintiff,

v.

ANTHONY SUAREZ and
VINCENT TABBACHINO

Defendants.

:
:
:
:
:
:
:
:
:
:
:
:

CRIM ACTION NO. 09-932 (JLL)

ORDER

LINARES, District Judge.

This matter comes before the Court on motions *in limine* filed (1) Defendant Suarez (CM/ECF No. 37) and (2) Defendant Tabbachino (CM/ECF No. 42). Defendant Tabbachino has joined each *in limine* motion filed on behalf of Defendant Suarez. For the reasons set forth on the record on September 29, 2010

IT IS on this 4th day of October, 2010,

ORDERED that Defendants' motion to preclude all government witnesses from opining on Defendants' guilt or innocence, or on the controlling law, is **GRANTED**; and it is further

ORDERED that the Court **RESERVES** judgment on Defendants' motion to classify the Government as a party-opponent for purposes of Fed. R. Evid. 801(d)(2); and it is further

ORDERED that Defendants' motion to introduce extrinsic evidence of bias is **GRANTED**; and it is further

ORDERED that Defendants' motion regarding references to the undersigned as the sentencing judge is **GRANTED** in part and **DENIED** in part; and it is further

ORDERED that the Court **RESERVES** judgment on Defendants' motion regarding the

admission of additional portions of recordings pursuant to Fed. R. Evid. 106; and it is further

ORDERED that Court **RESERVES** judgment on Defendants' motion regarding the spoliation of certain electronic communications; and it is further

ORDERED that Defendant's request for a Starks hearing is **GRANTED**; and it is further

ORDERED that Defendant Tabbachino's motion to preclude statements made by Defendant Tabbachino on July 23, 2009 is **DENIED** as moot ; and it is further

ORDERED that Defendant Tabbachino is granted leave to add Annette Tabbachino to his list of potential witnesses; and it is further

ORDERED that Defendant Tabbachino's motion to exclude evidence or reference by the Government to Defendant Tabbachino's alleged crimes of "money laundering" is **GRANTED**.

SO ORDERED.

/s/ Jose L. Linares
United States District Judge